

**DISTRICT JUDGE'S MINUTES  
IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF ARIZONA – TUCSON**

**U.S. District Judge: Raner C. Collins**

**Date:** November 21, 2018

**USA v. Lonnie Ray Swartz**

**Case Number: CR-15-01723-001-TUC-RCC (DTF)**

Assistant U.S. Attorney: Wallace Kleindienst/Mary Sue Feldmeier

Attorney for Defendant: Sean Chapman/Jaime Calle, Retained

Deputy Clerk: Sherry Gammon

Court Reporter: Erica McQuillen

Spanish Interpreter for victim's family: Sandy Frady

Defendant: ☒ Present ☐ Not Present ☒ Released ☐ Custody ☐ Summons ☐ Writ

**JURY TRIAL – Day 17:**

The jury arrives at 9:30 a.m. to resume deliberation.

9:49 a.m. – In absence of the jury, Defense counsel objects to the Court instructing the jury to continue to deliberate. The oral motion for a mistrial is renewed. The Government requests the Court instruct the jury with the Allen charge. The motion for mistrial is denied.

The jury enters at 9:57 a.m.

The Court instructs the jury with the Allen charge.

The jury is excused at 9:59 a.m. to continue deliberation.

Recess taken 11:18 a.m. – 11:28 p.m.

A verdict is received at 11:55 a.m.

The jury enters at 12:20 p.m.

The jury is unable to reach a verdict as to the charge of Voluntary Manslaughter. The Defendant is found Not Guilty as to the charge of Involuntary Manslaughter.

The jury is not polled.

The jury is excused at 12:30 p.m.

A Status Conference is set for **12/11/2018 at 10:00 a.m. before Judge Raner C. Collins.**

Jury Trial: 20 Minutes

9:49 p.m.– 9:59 p.m. 12:20 p.m. – 12:30 p.m.

Jury deliberation time: 2 Hours 38 Minutes

9:30 a.m. – 9:57 a.m. 9:59 a.m. – 11:18 a.m.

11:28 a.m. – 12:20 p.m.